

### REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-15 are currently pending. Claims 1, 3, 5, and 9 have been amended; and Claim 15 has been added by the present amendment. The changes and additions to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-5, 9, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,757,714 to Hansen (hereinafter “the ‘714 patent”) in view of U.S. Patent No. 6,772,143 to Hung (hereinafter “the ‘143 patent”) and U.S. Patent No. 6,711,624 to Narurkar et al. (hereinafter “the ‘624 patent”); Claims 6-8 and 10-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘714, ‘143, and ‘624 patents, further in view of U.S. Patent No. 5,826,023 to Hall et al. (hereinafter “the ‘023 patent”); and Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘714, ‘143, and ‘624 patents, further in view of U.S. Patent No. 6,192,282 to Smith et al. (hereinafter “the ‘282 patent”).

Amended Claim 1 is directed to a method of receiving information concerning a remotely monitored device, information being contained in a message that also includes a message type designation, the method comprising: (1) parsing a first line from the message to extract the message type designation, wherein the first line is the first line in the message; (2) determining a data structure type based on the message type designation; (3) creating a data structure of the determined data structure type in a memory, wherein fields in the created data structure are different depending on the message type designation; (4) parsing a second line from the message to extract a data type and a data value; and (5) storing the extracted data value in the data structure of the determined data structure type at a location in the memory corresponding to the extracted data type. For a non-limiting example, Applicants refer the

Examiner to Figure 15A and the discussion related thereto in the specification, in particular Tables 4 and 5. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.

Regarding the rejection of Claim 1 under 35 U.S.C. § 103(a), the Office Action asserts that the '714 patent discloses everything in Claim 1 with the exception of determining a data structure type and storing the data elements in the data structure, and relies on the '143 and '624 patents to remedy those deficiencies.

The '714 patent is directed to a system in which a device is embedded in an apparatus such that the embedded device detects the state of the apparatus and generates an electronic mail message that reports the state of the apparatus to a remote computer. The '714 patent discloses that the remote computer receives the electronic mail message and extracts the state of the embedded device from the message. Further, the '714 patent discloses that an XML parser 45 parses XML code in the received e-mail to extract variable values by recognizing field names such as "name" and "value" to extract the corresponding state variable values from those fields.<sup>1</sup> However, Applicants respectfully submit that the '714 patent fails to disclose parsing a first line from the message to extract a message type designation, wherein the first line is the first of the message, as recited in Claim 1. In this regard, Applicants note that the '714 patent merely discloses the data structure shown in Figure 2 and only discloses receiving status information from the device. Accordingly, Applicants respectfully submit that the '714 system has no need for a message type designation since only status information is sent. Further, as admitted in the Office Action, the '714 patent fails to disclose determining a data structure type based on a message type designation, parsing a second line from the message to extract a data type and a data value, and storing the extracted data value in a data structure of the determined data structure type at a location in the memory

---

<sup>1</sup> See '714 patent, column 6, lines 43-51.

corresponding to the extracted data type, as recited in Claim 1. Further, Applicants respectfully submit that the '714 patent fails to disclose the step of creating a data structure of the determined data structure type in a memory, wherein fields in the created data structure type are different depending on the message type designation, as recited in Claim 1. As discussed above, the '714 patent merely discloses a single data structure related to state information.

The '143 patent is directed to a method and system for managing messages received on a machine, including automatically determining a value of a predetermined parameter of the message, automatically creating a folder for holding messages that match the value, and automatically storing the message in the folder. For example, the '143 patent discloses that if the machine receives an MP3 song whose "artist" parameter indicates that the song is a Beatles song, the machine will automatically store the song in a folder designated for Beatles' songs. However, Applicants respectfully submit that the '143 patent fails to disclose the steps of determining a data structure type based on a message type designation, parsing a second line from the message to extract a data type and a data value, creating a data structure of the determined data structure type in a memory, wherein fields in the created data structure are different depending on the message type designation, and storing the extracted data value and the data structure of the determined data structure type at a location in the memory corresponding to the data structure type, as recited in Claim 1. Rather, the '143 patent merely discloses that an entire message is stored in a folder and does not disclose that a data value is stored at a location in memory corresponding to an extracted data type, as recited in amended Claim 1.

Further, Applicants respectfully submit that the '143 patent fails to disclose that fields in a created data structure are different depending on the message type designation, as recited in Claim 1. Rather, as discussed above, the '143 patent merely discloses creating different

*folders* corresponding to a type of attachment received with the message. Thus, even assuming *arguendo* that a folder is a data structure, all of the folders disclosed by the '143 patent are the same and do not have fields that vary according to a message type designation, but are merely labeled in a different way based on the content of the attachment.

In the outstanding Office Action, the stated motivation for combining the teachings of the '714 and '143 patents is "because when newly added declarations have been recorded and are available for subsequent lookup. Furthermore, parsing alone is insufficient since interfaces can be dependent upon constant expressions, which can themselves depend upon the sizes of type definitions that are held in a manager type module."<sup>2</sup> However, Applicants respectfully submit that the Examiner is merely using perceived advantages of Applicants' invention to engage in hindsight reconstruction of Applicants' invention without identifying that one of ordinary skill in the art would have thought to address the problem. For example, it is unclear to Applicants the significance of the statement "parsing alone is insufficient since interfaces can be dependent upon constant expressions." This language is not in the claims and Applicants fail to understand what it has to do with combining the teachings of the '714 patent and the '143 patent and why one of ordinary skill in the art would have been motivated by this statement to combine the references in the manner suggested by the Office Action. Further, as discussed above, Applicants respectfully submit that the '714 patent fails to disclose extracting a message type designation from the message. Accordingly, it is unclear how the '143 patent can disclose determining a data structure based on that message type designation, as suggested in the Office Action. Moreover, Applicants note that the outstanding Office Action asserts that the '143 patent discloses storing extracted data values in a data structure of the determined data type at a location in memory corresponding to the extracted data type, but relies on the '624 patent to disclose parsing a second line from the

---

<sup>2</sup> See pages 3 and 4 of the outstanding Office Action.

message to extract the data type and the data value. Accordingly, Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to combine the teachings of the '714 and '143 patents in the manner suggested by the Office Action when the storing step is admittedly not taught by either of the '714 or '143 patents.

Further, Applicants respectfully submit that one of ordinary skill in the art would not be motivated to combine the teachings of the '714 and '143 patents since it appears that the teachings of those references are incompatible. For example, the '714 patent discloses that data is stored either the Customer Relationship Management (CRM) system or in a database. However, the '143 patent discloses that data is stored in a folder.

The '624 patent is directed to a method of dynamically loading driver interface modules for exchanging data between data hosts. The '624 patent discloses that the method includes transferring a data block from a source host having an internal source data format to a designation host having an internal destination format different from the source data format. Thus, the '624 patent discloses storing data in a table, as shown in Figure 10A, and parsing data received from a source host, as shown in Figure 11A. However, Applicants respectfully submit that the '624 patent fails to disclose the step of determining a data structure type based on a message type designation, creating a data structure of the determined data structure type and in a memory, wherein fields in the created data structure are different depending on the message type designation, and storing extracted data values in the data structure of the determined data structure type at a location in the memory corresponding to the extracted data type, as recited in amended Claim 1. Initially, Applicants note that the '624 patent is unrelated to receiving information concerning a remotely monitored device. Further, Applicants respectfully submit that the '624 patent is silent regarding the determination of a data structure type based on a message type designation and storing data values in a data structure of the determined data structure type, as recited in Claim 1. Rather, the '624 patent

discloses determining a probability that a corresponding text string represents a particular portion of address information, such as city, state, zip code, or telephone number.

In the outstanding Office Action, the stated motivation for combining the teachings of the '624 patent with the teachings of the '714 and '143 patents is "because [the] parsing module would collapse multiple successive spaces on each of the text lines into single spaces therefore saving space for the insertion of other parsed information to be inserted."<sup>3</sup>

Applicants fail to see how one of ordinary skill in the art would have been motivated by a teaching that spaces can be removed in a text line to combine the teachings of the '714, '143, and '624 patents in the manner suggested in the outstanding Office Action. Again, Applicants respectfully submit that the Office Action is simply stating perceived advantages of Applicants' invention (which arguably have nothing to do with Applicants' invention) as motivation to combine the cited references, without identifying that one of ordinary skill in the art would have even have thought to address the problem. Such hindsight reconstruction of Applicants' invention can not be used to establish a *prima facie* case of obviousness.

Thus, no matter how the teachings of the '714, '143, and '624 patents are combined, the combination does not teach or suggest the determining, creating, or storing steps recited in amended Claim 1. Accordingly, Applicants respectfully submit that Claim 1 (and dependent Claim 2) patentably defines over any proper combination of the '714, '143, and '624 patents.

Independent Claims 3, 5, and 9 recite limitations analogous to the limitations recited in Claim 1. Moreover, Claims 3, 5, and 9 have been amended in a manner analogous to the amendment to claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that the rejections of Claims 3, 5, and 9 (and all

---

<sup>3</sup> See page 4 of the outstanding Office Action.

similarly rejected dependent claims) are rendered moot by the present amendment to independent Claims 3, 5, and 9.

Regarding the rejection of dependent Claims 6-8 and 10-13 under 35 U.S.C. § 103, Applicants respectfully submit that the '023 and '282 patents fail to remedy the deficiencies of the '714, '143, and '624 patents, as discussed above. Accordingly, Applicants respectfully submit that the rejection of Claims 6-8 and 10-13 are rendered moot by the present amendment to the independent claims.

The present amendment also sets forth new Claim 15 for examination on the merits. New Claim 15, which depends from Claim 1, includes the step of repeating the second parsing step and the storing step for another line of the message. Claim 15 is supported by the originally filed specification and does not add new matter.<sup>4</sup> Moreover, based on the asserted allowability of Claim 1, Applicants respectfully submit that new Claim 15 patentably defines over the cited references.

Thus, it is respectfully submit that independent Claims 1, 3, 5, and 9 (and all associated dependent claims) patentably define over any proper combination of the '714, '143, '624, '023, and '282 patents.

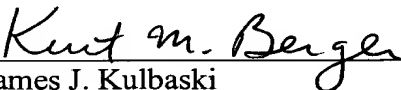
---

<sup>4</sup> See, e.g., Figure 14a and the discussion related thereto in the specification.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
James J. Kulbaski  
Attorney of Record  
Registration No. 34,648  
Kurt M. Berger, Ph.D.  
Registration No. 51,461

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)  
I:\ATTY\KMB\205850US-AM.DOC